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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,675	10/30/2001	Rachel Kuller	10011417-1	1411

7590 08/23/2005

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EXAMINER

MAYES, MELVIN C

ART UNIT PAPER NUMBER

1734

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/020,675

Applicant(s)

KULLER ET AL.

Examiner

Melvin Curtis Mayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12, 14-16, 26, 31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 and 26 is/are allowed.
- 6) ☒ Claim(s) 14-16, 31 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

(1)

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 8, 2005 has been entered.

Claim Rejections - 35 USC § 112

(2)

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

(3)

Claims 14-16, 31 and 32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 14 claims an adhesive tape of first adhesive layer, backing sheet removably adhered to the first adhesive layer, second adhesive layer and carrier sheet adhered to the second adhesive layer. How are the second adhesive layer and carrier sheet related to the first adhesive layer and backing sheet? As claimed both adhesive layers could be adhered to the carrier sheet.

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This claim is not clear. Further, which of the adhesive layers is applied to the second side of the media?

Claim 32 claims that the tape includes a segmented adhesive film, however, it is not clear how this "segmented adhesive film" relates to the first adhesive layer, backing sheet, second adhesive layer and carrier sheet of the tape of Claim 14 from which it depends. According to the specification, the segmented adhesive film is made up of segments of the first adhesive layer and backing sheet. Claim 32 would be clear if amended to reflect this. Further, Claim 16 should be amended because the backing sheet also makes up the segments that are defined by complete cuts.

Claim Rejections - 35 USC § 103

(4)

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

(5)

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boudouris et al. 6,228,451.

Boudouris et al. disclose a method of making a card having an adhesive layer comprising: ordering blank 12; ordering pressure sensitive construction; marrying together the blank with the layer of adhesive of the pressure sensitive construction; and printing images on the top surface of the blank using a variety of well known printing techniques such as flexo, offset, rotogravure, screen printing, letterpress, digital toner, copier, ink jet, laser printing or any plate-less process.

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The pressure sensitive construction comprises an adhesive layer 24 (first adhesive), liner 26 (backing sheet) peelable from the adhesive layer, a layer of permanent adhesive 28 (second adhesive) fixedly attached to the first liner, and a liner 30 (carrier sheet) peelable from the permanent adhesive.

Selecting (ordering) blank (media) from blank of varying size would have been obvious to one of ordinary skill in the art depending on the desired size of the cards to be made and the size of the printer to be used.

(6)

Claims 14 and 31 are rejected under 35 U.S.C. 103(a) as obvious over Ishiyama 4,240,862.

Ishiyama discloses a method of printing boarding pass and baggage tag comprising: feeding a printing paper strip to a printing unit and printing the strip; and applying to the paper strip an adhesive member consisting of double-sided adhesive piece 88 and cover piece 86. The adhesive member is supplied from a roll of adhesive tape having a series of adhesive members and an adhesive tape base 84 on which the adhesive members are attached. Perforations are made at regular intervals through the adhesive members and base to be engaged with a sprocket wheel. The width of the printing paper strip for the boarding pass is larger than that of the printing paper strip for the baggage tag (coll. 3-8).

By selecting printing paper strip for printing boarding pass as larger than printing paper strip for printing baggage tag, media (paper strip) is selected from a set of media of varying size for feeding into a printing device, as claimed.

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By applying adhesive member of double-sided adhesive and cover piece supplied from a roll of tape, an adhesive tape comprising a backing sheet (the cover piece) removably adhered to a first adhesive layer, first and second adhesive layers (adhesive layers of the double-sided adhesive) and a carrier sheet (the substrate of the double-sided adhesive) adhered to the second adhesive layer is obviously applied as taken from a reel-form stock, as claimed.

Allowable Subject Matter

(7)

Claims 12 and 26 are allowed.

(8)

Claims 15, 16 and 32 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion


(9)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin Curtis Mayes whose telephone number is 571-272-1234. The examiner can normally be reached on Mon-Fri 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on 571-272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Melvin Curtis Mayes
Primary Examiner
Art Unit 1734

MCM
August 18, 2005